

DELEGATED DECISION REPORT

SMD/2025/0360
Valid 31/07/2025

OAKLEYS FARM
LITTLE BLAKELEY LANE
FARM
BLAKELEY LANE
DILHORNE

PROPOSED ERECTION OF AN
AGRICULTURAL BUILDING
FOR LIVESTOCK
ACCOMMODATION

(FULL - MINOR)

MAIN ISSUES

- Green Belt
- Character and appearance
- Cumulative impacts

DESCRIPTION OF SITE

1. The proposed building would be erected in a field-land position and would stand attached to a similar sized pre-existing building erected within the last four years without planning permission and against which a planning enforcement notice has been served. The application land is seen to have been gradually made-up from its earlier original ground levels by the progressive introduction of tipped rubble waste in the area of the proposed siting.

2. Land included within the red edge running east to the A522 Leek Road has recently been bunded as shown on the submitted 'existing' site plan. This area (within the bund) is seen currently to be in use for crushing aggregate and soil filtering. The bunding has only begun to appear in its present form since June 2023. It was not present at all in June 2022. (Dates by reference to air / satellite images.) The physical development of this bunding is now also subject to a planning enforcement notice.

3. A recent previous planning application SMD/2025/0221 for a building positioned rear (west) of the existing adjacent building was refused 03.07.2025 for reasons including:

- (1) It is not appropriate to grant planning permission under Green Belt policy exemption for an agricultural building when it has not been demonstrated whether existing buildings on the site could be utilised (subject to necessary consents). The application does not provide specific justification for the need of the building when considering the long planning history of unauthorised developments (which includes the erection of buildings). [part wording]

(2) The proposed building would be sited within an open setting of former field land, which would be highly publicly visible from surrounding roads. There would be visual harm to the character and appearance of the area, as well as Green Belt openness harm, arising from the siting, design and appearance of the building, as well as the extent of proposed earthworks (including cut-and-fill) and construction of the large yard area. The landscape, visual impact and openness harm is unacceptable especially given the absence of justification for the building in the context of the pre-existing site buildings. [part wording]

4. Proposal DET/2024/0021 was refused by notice dated 30th August 2024 and DET/2024/0052 by notice dated 23.12.2024. The LPA had found from a site visit on 16th August 2024 that the usage of the pre-existing recent building (to which the then proposal would be attached) was largely not agricultural with 554m² of available space. Together with other buildings at the farm not in agricultural use or not fully in agricultural use the LPA estimated at the time a total of 851m² to be available.

5. The site, including existing buildings is seen prominently from the closely adjacent Leek, Road (A522), Kinglsey Road (A52) and a minor road on higher ground overlooking from a short distance to the west.

6. The size of the holding in this latest submission is now given as 22.59ha (c.55 acres) with all land laid to grass for grazing and the production of fodder for the farm animals. Livestock currently present are listed as 50 Water buffalo (including calves); 12 Reindeer; 2 Donkeys and 2 Camels.

7. The location is in the Green Belt.

8. A building is currently under construction on the site of the proposal building. On the south side of the unauthorised building and running forward of its east elevation is a formally constructed builders / landscape materials supply yard with materials bays etc..

PROPOSAL

9. In an accompanying supporting statement the planning agent describes the proposal as being to provide accommodation and covered feeding area for livestock saying that the applicant has acquired additional grazing land and has increased the livestock herd (water buffalo). The agent comments that the existing sheds used for livestock housing are too small to accommodate the growing herd; also, that the building described in the agent's words as agricultural storage to the west of the application site is unsuitable for livestock housing because there is no natural ventilation and consequently the buffalo would be susceptible to pneumonia and other

respiratory diseases if they were to be accommodated in this building. The storage building has a power-floated smooth concrete floor which is very slippery when wet and is therefore unsuitable for housing livestock. The lack of natural ventilation and natural light make the building inappropriate and contrary to animal welfare standards for housing of livestock. This existing [unauthorised] building the agent says was designed for and is required for the secure storage of farming machinery, small tools, equipment and animal feed. It is also used for the secure storage of pesticides and fertilisers.

10. In support of the proposal the agent says (p.10): the proposal will make use of land already used to site an agricultural handling yard; and will be very well related to an existing farmstead and group of buildings. The reference to handling yard is presumed to refer to a concrete-floored pen off the west end of the northerly elevation of the current building adjacent to the un-authorised building where there is an entrance door.

11. In addition to the proposed building itself the plans include a bunded area (not specifically referenced in the application description). This amounts in effect to an application for retrospective consent for the bunds, although this is not acknowledged in the application as being the case.

12. The submitted supporting statement concludes saying it has set out the reasons why the proposed livestock building is required, and why the existing agricultural storage building cannot be used to house livestock but that it is required to store valuable machinery, equipment, tools, pesticides, fertilisers and animal feed.

13. An accompanying vet's letter also submitted says: the "further buffalo housing" is required because "they currently only have one shed to house the buffalo" and that the added space is needed "to improve the health and welfare of the herd"; to separate calves at weaning and to keep the bull separate when necessary.

Biodiversity Net Gain (BNG)

14. The submissions include an ecological survey (July 2025) and statutory BNG metric calculation. Based on the Ecology report and BNG assessment the supporting statement concludes that development of the building will not impact protected species or their habitats and will deliver a positive biodiversity gain of 34.47% on completion of the development. The application proposes to meet the BNG requirement through the establishment of wildflower rich grass mix and the planting of mixed native species hedging and trees.

15. The application acknowledges that submission of a Biodiversity Gain Plan before development is begun is required, as it is not exempt from the mandatory

Biodiversity Gain Condition. It is noted in the supporting statement that Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 has the effect that if planning permission is granted it will be deemed subject to the “biodiversity gain condition” meaning development must not begin unless:

- a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- b) the planning authority has approved the plan.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (adopted 9th September 2020)

SS1 Development Principles
SS2 Settlement Hierarchy
SS10 Other Rural Areas Area Strategy
DC1 Design Considerations
DC3 Landscape and Settlement Setting
NE1 Biodiversity and Geological Resources
NE2 Trees, Woodland and Hedgerows
T1 Development and Sustainable Transport

National Planning Policy Framework (December 2024)

Paragraph(s) 1 – 14;
Section(s) 4 – Decision making; 6 – Building a strong and competitive economy; 8 Promoting healthy and safe communities; 11 – Making effective use of land; 12 – Achieving well designed places; 13 – Protecting Green Belt Land; 15 – Conserving and enhancing the natural environment; 16 – Conserving and enhancing the historic environment.

Adopted Supplementary Planning Documents/Guidance (SPD/G):

- Space About Dwellings SPG
- Design Principles SPG
- Design Guide SPD adopted 21st February 2018

Local Plan Supporting Evidence Documents:

- Landscape and Settlement Character Assessment (2008)

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

Specific to the site of the building proposed:

DET/2024/0021 – prior approval required (decision 15th July 2024) and refused (30th August 2024).

DET/2024/0052 – prior approval required and refused (23rd December 2024).

As noted above the existing recent building to which the proposal would be attached is unauthorised and subject to separate investigation.

A number of applications have been considered in relation to other land at Little Blakeley Farm including in 2017/18 and 2019 and most recently:
SMD/2025/0221 – Proposed erection of an agricultural building for livestock accommodation – refused (03.07.2025).

CONSULTATIONS

Publicity

Site Notice expiry date: **27th Aug 2025**

Neighbour consultation period ends: **21st Aug 2025**

Press Advert: N/A

Public Comments

One comment in support shows as apparently being received but is seemingly not available on file.

Town / Parish Comments

Consall Parish Council – no comments received

Environmental Health

The proposed development is relatively isolated from residential properties. The nearest residential property not in the ownership of the applicant appears to be on a working farm approx. 100m to the east of site from the site and is on a working farm. The area is mainly agricultural and does not contain intensive residential development. No significant impact to amenity is predicted if good practice is operated on the site. (Conditions advised.)

OFFICER COMMENTS

Principle of Development

16. There appear to be two distinct elements to this proposal: a portal frame building directly alongside and partly attached to and integrally dependent on a pre-existing building on the southerly side; and a large bunded area along the northerly side and running north east to the road (A522).

17. Determining the principle of the development at this location begins with SMDC Local Plan Policy SS10 which says that:

These areas will provide only for development which has an essential need to be located in the countryside, supports the rural diversification and sustainability of the rural areas, promotes sustainable tourism or enhances the countryside. The Council and its partners will achieve this through the following actions: [which are then listed].

18. Part of the policy under SS10 as set out at SS10(3) is to: Enhance and conserve the quality of the countryside by [first point]:

Giving priority to the need to protect the quality and character of the area and requiring all development proposals to respect and respond sensitively to the distinctive qualities of the surrounding landscape;

19. For rural locations in the Green Belt outside of development boundaries policy SS10 (6) says that:

Strict control will continue to be exercised over inappropriate development within the Green Belt allowing only for exceptions as defined by Government Policy.

20. Government policy is that buildings for agriculture should be regarded as not inappropriate in the Green Belt as set out at NPPF paragraph 154 (a). The recently developed bunding within the site plan red edge, as shown on site plan drawing PL03, needs to be regarded as an engineering operation. NPPF paragraph 154 (h) treats engineering operations as not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it.

21. As regards the building the main issues with this proposal (by reference to policy SS10) are whether there is an essential need for the development to be located in the countryside; the extent to which it would support rural diversification or the sustainability of the rural area; and its effects on the character, appearance and qualities of the area. The assessment should go on to consider the design appearance of the development; any possible effects on the living conditions of neighbouring occupiers; and any potential highways impacts.

22. The bunding is prominent and obviously engineered making it very much out-of-place in this, until recently, field pasture setting. The raised prominence of the works cannot be considered to preserve the openness of the Green Belt and therefore does not meet the exception under NPPF 154 (h) (ii). It also conflicts with one of the primary purposes of the Green Belt to assist in safeguarding the countryside from encroachment. The bunding is subject to the recent and currently on-going enforcement actions.

Essential Need

23. The specific requirements of Water Buffalo for covered housing are not discussed in the submission statement. It is likely that a degree of access to shelter is important and the vet's letter certainly implies this to be a given. The application specifically considers the pre-existing (but unauthorised) adjacent building and gives some reasoning as to why this is unsuitable. It is known however that a section of this building, one bay at the westerly end representing about one sixth or 16.6% of the building total, has been in use for housing the buffalo. The remaining c.518m² has on previous inspection been found not to be in agricultural use. An enforcement notice requiring the removal of the building is currently in place.

24. Whilst it is perhaps likely that a justification can be made for covered housing for buffalo, no explanation is given as to why the building must be 6m at the eaves and

8.7m to the roof ridge. Indeed, it is noted that the recent previous refusal SMD/2025/0221 was for livestock accommodation 4.4m at the eaves and 6.2m at the ridge. There is also no discussion about the potential to modify the existing building, just that it is unsuitable in aspects of its current form. Whilst this building is said to be needed for other general farm storage, that claim does not give full consideration to the other buildings at the premises nor does it acknowledge the significant unauthorised non-agricultural activity taking up space at the premises.

Design

25. As covered livestock housing the proposal building appears unduly tall. It is integrally dependent on its south elevation for structural support from the pre-existing but unauthorised building. This is not an acceptable basis on which to recommend approval of the design in any event but especially not now that the Council has issued an enforcement notice for that building's removal.

26. The bunds represent an intrusive and obviously artificial feature at odds with the rural field pasture character of the location. They are not understood to have any functional purpose in relation to the development but surround an area which is currently being used (without planning consent) for mechanical crushing and sorting of materials including aggregates and soil.

Amenity

27. Taking into account the comments of the Council's Environmental Health section there are not judged to be any unduly adverse impact for nearby unconnected neighbouring occupiers.

Highway Safety

28. SCC Highways were not consulted but in comments received for SMD/2025/0221 acceptance in terms of Highway Safety was recommended subject to conditions regarding surfacing at the entrance. It was commented by the HO: Access is existing and in current use for the wider site. Visibility is good and existing gates are set back from the highway. However, the access is unsurfaced. Loose material and mud is being brought onto the highway. As this proposal could increase the use of the access, condition is recommended to provide bound surfacing to reduce the likelihood of loose material being brought onto the highway and to improve access from the highway to the site and vice versa. Site is in current use for a variety of agricultural and commercial activities. Proposed building will improve facilities. Current records show that there were no Personal Injury Collisions on Leek Road or Blakeley Lane within 100m either side of the property access in the previous five years.

29. On the basis of the above there are therefore not judged likely to be any adverse highways impacts.

CONCLUSION / PLANNING BALANCE

30. Whilst the building proposed can be found not-inappropriate in the Green Belt on basis of being for agriculture, the bunding, as it is not a building would not qualify to benefit from that same exception under NPPF paragraph 154(e). As an engineering operation the bunding could potentially benefit under 154(h) (ii) but the prominent raised form of the bunds would not preserve the openness of the Green Belt and therefore the work does not comply with the requirements under that exception.

31. As it is judged unnecessarily tall for its livestock housing function the building is not considered to meet the expectation of having an essential need by reference to SS10. There is similarly no identified essential need for the bunds in this application and no very special circumstances are identified.

32. The structural reliance of the proposal building on a pre-existing un-authorised building against which the Council has recently taken enforcement action issuing a notice for its removal gives further specific design grounds to warrant refusal. Indeed the wider general uses of the premises and buildings for non-agricultural business activities without planning permission brings into question the overall planning status. There may ultimately be found to be a livestock housing need but it is currently difficult if not impossible to make a rational assessment of how this best might be provided for in the context of so much unauthorised construction and use of buildings and use of yard areas against which the Council has issued enforcement notices.

OFFICER RECOMMENDATION : **Refuse**

Case Officer: Arne Swithenbank

Recommendation Date: 06.10.2025

X 

Signed by: Jane Curley

On behalf of Staffordshire Moorlands District Council